

File copy

LAST WILL AND TESTAMENT

of

→ BENJAMIN G. HAWKES

I, BENJAMIN G. HAWKES, residing in the City of Los Angeles, County of Los Angeles, State of California, being of lawful age and sound and disposing mind and memory, and not being actuated by any duress, menace, fraud, or undue influence whatsoever, do hereby make, publish and declare this to be my Last Will and Testament, and hereby expressly revoke any former Wills and Codicils heretofore made by me.

FIRST: I direct my Executor to pay my just debts, expenses of last illness and funeral expenses as soon after my death as is convenient. I would desire that Cunningham and O'Connor Mortuary handle my remains, using their C-52 steel, bronze finish casket. It is also my wish that my remains be interred next to my parents in Holy Cross Cemetery, Los Angeles, California, Grave 9, Lot E, Section F, as evidenced by Certificate No. 10371 recorded in Volume 3, Page 73. I further direct my Executor to purchase a concrete vault and a bronze marker similar to the model used for my parents (cf. attached sample for marker).

SECOND: I declare that I am a single man and never have been married; that my sole close relatives are my brother, WILLIAM I. HAWKES, and my nieces, MARY THERESE HAWKES, MARGARET MICHELE HAWKES, MAUREEN ANN HAWKES, and my nephew, MICHAEL ANTHONY HAWKES; that my brother is married to HELEN CASLER HAWKES and that there are two children of his marriage, viz., MARY THERESE HAWKES and MARGARET MICHELE HAWKES, as well as two adopted children, viz., MAUREEN ANN HAWKES and MICHAEL ANTHONY HAWKES.

THIRD: I declare that all the property in which I have an interest, or which stands in my name, is my separate property and I intend hereby to dispose of any

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property which I may have, real, personal, and mixed, and wheresoever situated.

FOURTH: I give, devise, and bequeath to the SOCIETY FOR THE PROPAGATION OF THE FAITH, located at 1531 West Ninth Street, Los Angeles, One Thousand (\$1,000.00) Dollars for the purpose of having 200 Masses offered for the repose of my soul. It is my desire that this gift, devise, and bequest shall be satisfied before all others and my Executor, if it is necessary, is directed to sell the assets of my estate, as may be necessary, to satisfy this gift, devise, and bequest. I further give, devise, and bequeath to the SOCIETY FOR THE PROPAGATION OF THE FAITH my clerical wardrobe.

FIFTH: I give, devise, and bequeath to the PARISH OF ST. BASIL, 637 South Kingsley Drive, Los Angeles, California, my chalice which contains my Mother's diamond engagement ring and wedding ring.

SIXTH: I give, devise and bequeath all of the residue of my estate, of whatsoever kind and character, and wheresoever situated, to my three nieces and one nephew, MARY THERESE HAWKES, MARGARET MICHELE HAWKES, MAUREEN ANN HAWKES, and MICHAEL ANTHONY HAWKES, who are the children of my brother, WILLIAM I. HAWKES, and his wife, HELEN CASLER HAWKES, share and share alike.

In the event that any of my said nieces, or nephew, should not survive me and the distribution of my estate, then and in that event I give, devise, and bequeath all of the residue of my estate, of whatsoever kind and character, and wheresoever situated, to the survivor of them.

In the event none of my specifically mentioned heirs, hereinabove named, shall survive me or distribution of my estate, then and in that event, I give, devise and bequeath all of the residue of my estate, of whatsoever kind and character, and wheresoever situated to THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES, a corporation sole.

SEVENTH: If any devisee, legatee or beneficiary under this Will, or any legal heir of mine, or person claiming under any of them, or any other person, shall

contest this Will or attack, or seek to impair or invalidate any of its provisions, or conspire with or voluntarily assist anyone attempting to do any of those things, in that event I bequeath to each such person the sum of One (\$1.00) Dollar only, and all other legacies, bequests, devises and interests given under this Will to that person shall be forfeited and shall augment proportionately the shares of my estate going under this Will to such of my devisees, legatees and beneficiaries as shall not have participated in such acts or proceedings. If all my devisees, legatees and beneficiaries shall participate in such proceeding, I give, devise and bequeath the whole of my estate to THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES, excluding all contestants and all persons conspiring with, or voluntarily assisting them.

EIGHTH: I have, except as otherwise in this Will specified, intentionally and with full knowledge omitted to provide for my heirs and relatives living at the time of my demise.

NINTH: Should any part, clause, provision or condition of this Will be held to be void, invalid and/or inoperative, then I direct that such invalidity shall not affect any other clause, provision and/or condition hereof, but the remainder of this Will shall be effective as though such void clause, provision and/or condition had not been contained therein.

TENTH: I hereby appoint, as Executor of this my Last Will and Testament, my brother, WILLIAM I. HAWKES, to serve without bond. In the event my brother does not survive me, or should fail or refuse to serve, or to complete service, or is unable, unwilling or incompetent to act as such Executor, then in that event I hereby appoint THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES to act as Executor of this Will and to serve without bond.

ELEVENTH: I hereby expressly authorize and empower my said Executor, if he should so desire, to continue and operate during the probate administration of my estate, any business operation or enterprise in which I am interested at the time of my

demise, and in such operation to carry any and all insurance deemed advisable, paying the premiums from the estate funds; all profits and losses therefrom belonging to and falling upon my estate and not upon my said Executor, personally, and I also empower him to sell, lease, or mortgage the whole or any portion of my estate at either public or private sale, with or without notice, without securing any previous order of court therefore, and upon such terms and conditions as to my said Executor seem best, but subject, however, to confirmation by court as provided by law.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal this

13th day of November, 1975.

BENJAMIN G. HAWKES

The foregoing instrument, consisting of four (4) pages, including this page, was subscribed on the date which it bears, by the Testator, BENJAMIN G. HAWKES, and at the time of subscribing was declared by him to be his Last Will and Testament; the subscription and declaration being made in our presence, we all being present at the time, and we, at his request and in his presence, and in the presence of each other, signed the instrument as witnesses.

ETHEL V. BOSSERT

Residing at 818-1/4 19th Street

Santa Monica, California

90403

FLORENCE DONNELLY

Residing at 3930 Ingraham St.

Los Angeles, California 90005

ANNE GRAY

Residing at 1200 South Ninth St.

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